

SENATE BILL No. 566

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-12-70; IC 31-37-1-3.

Synopsis: Possession of a firearm by a child. Makes dangerous possession of a firearm by a child who is less than 16 years of age a delinquent act under the exclusive jurisdiction of the juvenile court. (Current law does not address the appropriate jurisdiction for a case involving the dangerous possession of a firearm by a child who is less than 16 years of age.) Makes conforming changes.

Effective: July 1, 1999.

Alexa, Meeks R

January 20, 1999, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.



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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 566

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-12-70-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. As used in this
3 chapter, "eligible student" means a student who meets the following
4 requirements:

5 (1) Is a resident of Indiana.

6 (2) Is enrolled in grade 8 at a public or an accredited nonpublic
7 school.

8 (3) Is eligible for free or reduced priced lunches under the
9 national school lunch program.

10 (4) Agrees in writing, together with the student's custodial parents
11 or guardian, that the student will:

12 (A) graduate from a secondary school located in Indiana that
13 meets the admission criteria of an institution of higher
14 learning;

15 (B) not illegally use controlled substances (as defined in
16 IC 35-48-1-9);

17 (C) not commit a crime or infraction described in IC 9-30-5;



(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2, **IC 31-37-1-3**, or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) when the eligible student is a senior in high school, timely apply:

(i) to an institution of higher learning for admission; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an institution of higher learning; and

(F) achieve a cumulative grade point average upon graduation of at least 2.0 on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12.

SECTION 2. IC 20-12-70-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. As used in this chapter, "scholarship applicant" means a student who meets the following requirements:

(1) Was an eligible student under section 2 of this chapter.

(2) Is a resident of Indiana.

(3) Has graduated from a secondary school located in Indiana that meets the admission criteria of an institution of higher learning.

(4) Has applied to attend and has been accepted to attend an institution of higher learning as a full-time student.

(5) Certifies in writing that the student has:

(A) not illegally used controlled substances (as defined in IC 35-48-1-9);

(B) not illegally consumed alcoholic beverages;

(C) not committed any other crime or a delinquent act (as described in IC 31-37-1-2, **IC 31-37-1-3**, or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal)); and

(D) timely filed an application for other types of financial assistance available to the student from the state or federal government.

SECTION 3. IC 31-37-1-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 3. A child commits a delinquent act if, before becoming sixteen (16) years of age, the child violates IC 35-47-10-5 concerning the dangerous possession of a firearm.**

